

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE-OPELOUSAS DIVISION**

DAVID LEE LEGER

CIVIL ACTION NO. 07-005

VERSUS

JUDGE MELANÇON

WARDEN ALLEN CORRECTIONAL CENTER

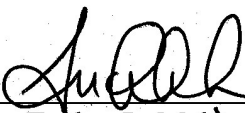
MAGISTRATE JUDGE HILL

CERTIFICATE AS TO APPEALABILITY

A notice of appeal having been filed in the above captioned habeas corpus case in which the detention complained of arises out of process issued by a state court, this Court, considering the record in this case and the requirements of Federal Rule of Appellate Procedure 22(b), hereby finds that a certificate of appealability should not issue for the following reasons:

Adopting the analysis contained in the Report and Recommendation of Magistrate Judge Hill entered on May 17, 2007 [Rec. Doc. 5] and entered as a final judgment on June 5, 2007 [Rec. Doc. 7], this Court finds that there is no basis in law or fact as demonstrated by this record that petitioner is entitled to the relief he seeks.

THUS DONE AND SIGNED this 26th day of October, 2007 at Lafayette, Louisiana.



Tucker L. Melançon
UNITED STATES DISTRICT JUDGE